

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: April 1, 2021

March 30, 2021

VIA ECF

The Honorable Victor Marrero
United States District Court Judge
Southern District of New York
500 Pearl Street, Suite 1610
New York, New York 10007

Re: *John Evans v. C. R. Bard Inc. et ano.* (1:19-cv-09874-VM)

Dear Judge Marrero:

On behalf of plaintiff John Evans ("Plaintiff") and defendants C. R. Bard, Inc. and Bard Peripheral Vascular, Inc. (collectively, "Bard") (all, collectively, the "Parties") in the above-referenced action, the Parties respectfully submit this joint letter to inform the Court that they have reached a settlement in principle in this action as part of a global settlement of all the cases and claims of plaintiffs represented by Plaintiff's counsel in multiple jurisdictions. The Parties are in the process of finalizing the details of their settlement, which will take some time given the number of plaintiffs and cases involved in the global settlement.

Accordingly, the Parties jointly and respectfully request that the Court enter an order staying this case for one hundred and twenty (120) days to permit the Parties to finalize settlement terms with respect to this and all cases filed by Plaintiff's counsel in similar matters. If Plaintiff have not filed dismissal papers within 120 days from the stay being granted, the Parties request the opportunity to file a joint status report regarding the status of the settlement. Alternatively, the Parties request a conference with the Court to seek the Court's guidance on how the Parties should proceed with their settlement in principle and finalization of settlement terms, including the possibility of administratively closing the case without prejudice and placing it on a suspense calendar with a status report deadline that the Court deems suitable and appropriate.

Respectfully submitted,

/s/ John A. Dalimonte

John A. Dalimonte (admitted pro hac)
DALIMONTE RUEB STOLLER, LLP
85 Devonshire Street, Suite 1000
Boston, MA 02109
Telephone: (833) 443-7529
Facsimile: (855) 205-2053
john@drlawllp.com

Counsel for Plaintiff

/s/ Toby S. Soli

Toby S. Soli
GREENBERG TRAURIG, LLP
200 Park Avenue
New York, NY 10066
Telephone: (212) 801-3196
Facsimile: (212) 801-6400
solit@gtlaw.com

Counsel for

Request GRANTED.

This matter is hereby stayed
for 120 days.

SO ORDERED.

April 1, 2021

DATE


VICTOR MARRERO, U.S.D.J.